

JAN-18-2001 05:47

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FD-302 (Rev. 10-6-95)

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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/18/2008

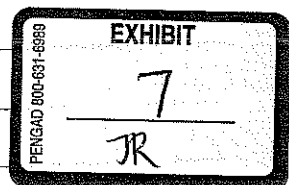
JAMES EUGENE PANNELL, Date of Birth July 03, 1971, Social Security Account Number 410-41-6612, address 771 Dunn Road 114, Walnut, Mississippi, telephone number 662-750-0305 and 731-433-8468 was contacted by Special Agent (SA) WALTER GLENN HENRY at the City Hall Building, 101 North Main Street, Middleton, Tennessee. After being advised as to the identity of the interviewing Agent, PANNELL provided the following information:

PANNELL advised that on or about the late evening of Saturday, July 29, 2006 he along with his girlfriend JUDY EDWARDS were at his residence 771 Dunn Road 114, Walnut, MS. PANNELL and EDWARDS departed from the above residence in PANNELL's newly purchased 2006 Chevrolet Lumina. They were en route to JUDY's residence, 2721 County Road 102, Walnut, Mississippi which is within three miles of PANNELL's residence. PANNELL admitted that prior to driving off, he had opened an one quart bottle of beer and poured about 1/3 of the quart into a glass. PANNELL drove as he drank the beer from the glass.

As PANNELL drove to EDWARDS' residence on County Road 102, he and EDWARDS were being tail gated by unknown vehicle. PANNELL was driving approximately 35 to 40 miles per hour (MPH). PANNELL noted that it was at night and CR 102 has no street lights and the road was dark. PANNELL also noted that it was not uncommon to be tail gated on that particular road. PANNELL was approaching EDWARDS's residence when he observed flashing blue lights coming from the rear and a police patrol car speed in front of his vehicle. PANNELL stopped and turned off his vehicle. There was a second police car behind PANNELL's vehicle. Two officer exited the police cars with guns drawn and pointed at PANNELL and EDWARDS. PANNELL later learned the names of the officers to be Tippah County Sheriff Office Deputies WILLIAM ROGERS (W. ROGERS) and JEFFREY ROGERS (J. ROGERS). W. ROGERS was yelling and did most of the talking. PANNELL complied with W. ROGER'S commands for him to place his hands out of the car window and on top of the car. J. ROGERS had his gun pointed at EDWARDS. PANNELL realized that he was going to jail because he did not have a driver's license and an open container of beer. W. ROGERS ordered PANNELL to get out of his vehicle. As PANNELL was exiting his vehicle, W. ROGERS asked PANNELL where was he coming from, to which PANNELL replied that he was coming his residence and on his way to EDWARDS's residence and

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Date dictated \_\_\_\_\_

by SA WALTER GLENN HENRY

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pointed in the direction of the property which was located within a few feet from the traffic stop. PANNELL suggested to W. ROGERS that he be allowed to walk home and they tow his car. W. ROGERS also asked PANNELL why he did not have license plates on his vehicle, to which PANNELL replied that he just purchased the vehicle. While searching the vehicle, W. ROGERS found the vehicle title and bill of sale in the glove box.

W. ROGERS roughly handled PANNELL while placing him in handcuffs. PANNELL was handcuffed with his hands behind his back. PANNELL asked W. ROGERS, "What did I do?" W. ROGERS replied by yelling "You tried to out run us." PANNELL stated to W. ROGERS, "I know I'm going to jail, I'm not going to do anything or try to get away, you don't have to be so rough." PANNELL initially attempted to convince W. ROGERS to let him go to EDWARDS's residence which was in walking distance from the stop. PANNELL informed W. ROGERS that he understood that he can no longer drive his vehicle but would W. ROGERS just let him walk to EDWARDS's residence. PANNELL advised that he was trying to be cool and cooperative with W. ROGERS but he continued to be rough, aggressive and have a negative attitude toward PANNELL. PANNELL felt that W. ROGERS was determined to find some additional charges to file against PANNELL.

PANNELL stood by the trunk of his vehicle as W. ROGERS searched his vehicle. J. ROGERS was standing near PANNELL. J. ROGERS looked nervous and scared. Without consent W. ROGERS searched PANNELL's entire vehicle including his trunk. W. ROGERS found some seeds under the driver's seat. W. ROGERS approached PANNELL claiming that the seeds were marijuana seeds. PANNELL disagreed and commented to W. ROGERS that the seeds were large and looked like flower seeds. W. ROGERS found some rolled cigarette butts in the ash tray and a coffee can in the truck filled with unused cigarette rolling papers. W. ROGERS claimed that the above items were proof of PANNELL's marijuana usage and that he was being arrested for being possession of drug paraphernalia. PANNELL informed W. ROGERS that he rolls his own cigarette.

W. ROGERS searched PANNELL's pockets and found his bottle of prescription medicine, Dyolatin (phonetic). PANNELL has uncontrollable seizures. When PANNELL has a seizure his body and muscles constrict. They are sometimes brought on by stress and anxiety. He does not know why he has them but they are brought on by stress and anxiety. The prescription was not on the bottle. PANNELL informed W. ROGERS that he needed the medicine because of

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his seizures. PANNELL noted that the pills are clearly identifiable as prescription medicine. W. ROGERS handed the pill bottle to EDWARDS.

PANNELL started to feel some anxiety and asked W. ROGERS if he could take a pill. PANNELL started to walk toward EDWARDS. W. ROGERS replied "I'm not giving you these dam pills, you are going to jail." As EDWARDS walked toward PANNELL, J. ROGERS pulled out his taser and pointed it at EDWARDS. J. ROGERS ordered EDWARDS to "Back up or I'm going to shoot you." EDWARDS froze and looked scared. At this point PANNELL became upset and continued to walk toward EDWARDS. PANNELL stated out loud, "I just want my dam pills. Ain't no reason to threaten her that way. Don't make no sense treating us this way. You got me, I know I'm going to jail, she has done nothing." W. ROGERS yelled "Don't run." PANNELL did not know what W. ROGERS was talking about because he was not trying to run or get away, and he had no place to escape because he was blocked by the deputies and the vehicles. Suddenly PANNELL felt a sting in the middle of his back and he immediately dropped to the ground in the ditch. PANNELL advised that he could not move and felt like he was being electrocuted. PANNELL tried to get up and W. ROGERS jumped on top of him and repeatedly jabbed him in the back with his taser. W. ROGERS yelled for PANNELL to get up and as PANNELL started to get up, J. ROGERS shot PANNELL in the hip with his taser. Somehow PANNELL ended up on his back and J. ROGERS shot him in the chest with his taser. PANNELL recalled that he could not breathe and his heart was going to explode. PANNELL felt as if he was going to die. PANNELL eventually passed out, but before he passed out, he heard EDWARDS yelling for the deputies to stop.

PANNELL awoke in the back of W. ROGERS' vehicle. W. ROGERS was driving like a maniac, about 70 MPH in the city limits. PANNELL commented to W. ROGERS, "Slow down, I'm not in a hurry to get to jail." It appeared to PANNELL that W. ROGERS was in hurry to get him to the jail and dump him off. While at the jail, PANNELL was placed in an isolation cell with a steel bed. PANNELL was in the cell for several hours handcuffed from behind. PANNELL asked W. ROGERS to place the handcuffs in the front but he refused. W. ROGERS eventually placed PANNELL's handcuffs in front but only after a female guard inquired as to why PANNELL was handcuffed with hands behind his back. W. ROGERS did not take any photographs of PANNELL's taser wounds nor took him to see a doctor or medical staff.

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PANNELL bonded out of jail on Monday, July 31, 2006. PANNELL's bond was posted by Pat Smith who viewed PANNELL's taser wounds. PANNELL noted that he did not have on a shirt when he was arrested and booked into jail. PANNELL was picked from the jail by his brother DONALD PANNELL, sister in-law CHRISTI PANNELL, and EDWARDS. PANNELL was charged with Simple Assault. The ROGERS accused PANNELL of kicking one of them while he was being tasered. PANNELL was also charged with Driving Under the Influence DUI, operating a motor Vehicle with out a Driver's License, Driving with no License's Plate, Evading a Blue Light and Possession of Drug Paraphernalia, i.e., the rolling papers. The Simple Assault Charge and the Possession of Drug Paraphernalia were dismissed by the Justice Court Judge. The judge appeared to be upset with deputies for filing those charges against PANNELL. PANNELL pleaded guilty to the other charges. PANNELL paid all his fines and completed the DUI class. Neither W. ROGERS nor J. ROGERS showed up to court. PANNELL had no further contact with them.

After being tasered by W. ROGERS and J. ROGERS, PANNELL was hurt and in pain for several days. PANNELL thought about and was encouraged by his family members to go to see a doctor. Although PANNELL was in pain for several days, he decided not to go because he did not have medical insurance and could not afford the doctor bill. PANNELL decided not to file a complaint against W. ROGERS or J. ROGERS because he did not think anything would be done and it would be a waste of time. He advised that he could not afford a lawyer, and no one would believe him. After deciding to let the matter go PANNELL did not feel it was necessary to take photographs of his injuries.

PANNELL had heard from others of how W. ROGERS and J. ROGERS treated people. They had a reputation of being arrogant, "Smart asses." They were known for setting up their own road blocks. PANNELL was not familiar with an individual named JIMMY DALE HUNSUCKER JR. and was not aware of any encounter HUNSUCKER JR. may have had with W. ROGERS and J. ROGERS.

PANNELL advised that he is not a violent person and was not attempting to either fight or flee when being arrested by the W. ROGERS and J. ROGERS. PANNELL has no felony arrest or convictions. He was arrested 10 years ago in Tennessee for DUI and four years ago for Public Drunk. He had no other arrest until his encounter with the W. ROGERS and J. ROGERS.

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PANNELL advised that he had approximately seven taser marks on his body which came in pairs of two and resembled a snake bite. PANNELL had five marks on his back, one on his hip and one in the middle of his chest. PANNELL showed SA HENRY the areas of his body where the taser marks were located. There were no visible scars on PANNELL's body. PANNELL was shown photographs of the torso and thigh of HUNSUCKER JR. The photographs showed HUNSUCKER JR. with several taser marks on his body. After viewing the photographs, PANNELL advised that his taser marks looked identical to HUNSUCKER JR's taser marks.